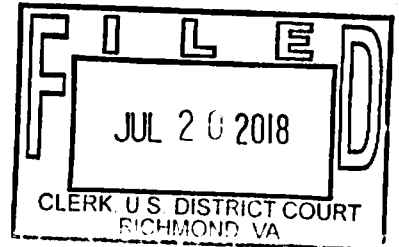


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

IN THE MATTER OF RELEVANT LAW )  
IN SOCIAL SECURITY APPEALS BEFORE )  
UNITED STATES MAGISTRATE JUDGE )  
DAVID J. NOVAK )  
\_\_\_\_\_ )



**STANDING ORDER IN SOCIAL SECURITY CASES**

Effective immediately, for every issue raised in a Social Security appeal, **all counsel** must first address any relevant Fourth Circuit case law. If no relevant Fourth Circuit case law exists on a particular issue, counsel will state as much before citing to case law from sister circuits.

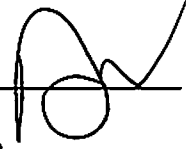
Further, in all briefs submitted by the Government in a Social Security appeal, the Assistant United States Attorney that signed the brief shall certify that they have personally reviewed the brief, including all of the facts and case law contained therein, and that they stand by every sentence written therein, regardless of who initially drafted the brief. This certification must be filed with every substantive brief filed by the Commissioner in a Social Security appeal. Absent this certification, the Commissioner's brief shall be stricken, and the Court will address the issues based on the remaining pleadings and submissions from the parties in the case.

In all currently pending Social Security appeals that are ripe for review, the Government shall file this certification within fourteen (14) days of the date of this Order. In each of the certifications for currently pending cases, the Government shall include any Fourth Circuit case law that is relevant to an issue in the case that was not included in the Commissioner's previous submission(s) to the Court in that case. Absent this certification, the Commissioner's previously

filed submission(s) shall be stricken, and the Court will address the issues in that case based on the remaining pleadings and submissions of the parties.

Let the Clerk publish this Standing Order on the Court's website and file this Standing Order electronically in current and future Social Security cases.

It is so ORDERED.

/s/   
\_\_\_\_\_  
David J. Novak  
United States Magistrate Judge

Richmond, Virginia  
Dated: July 20, 2018